

COUNTY OF MENDOCINO DEPARTMENT OF PLANNING AND BUILDING SERVICES

860 NORTH BUSH STREET · UKIAH · CALIFORNIA · 95482 120 WEST FIR STREET · FT. BRAGG · CALIFORNIA · 95437 BRENT SCHULTZ, DIRECTOR TELEPHONE: 707-234-6650 FAX: 707-463-5709 FB PHONE: 707-964-5379 FB FAX: 707-961-2427 pbs@mendocinocounty.org www.mendocinocounty.org/pbs

October 5, 2020

Planning – Ukiah Department of Transportation Environmental Health - Fort Bragg Building Inspection - Fort Bragg County Addresser Assessor CalFire - Prevention California Coastal Commission State Clearinghouse Army Corps of Engineers Noyo Harbor District Fort Bragg Sewer District Fort Bragg Water District Fort Bragg Fire District Fort Bragg City Planning Fort Bragg School District Cloverdale Rancheria Redwood Valley Rancheria Sherwood Valley Band of Pomo Indians

CASE#: UR_2020-0007 **DATE FILED:** 7/17/2020

OWNER/APPLICANT: JOHN J SCHNAUBELT

REQUEST: Renewal of Coastal Development Use Permit CDU_2017-0019, which authorized repurposing of the Ice House located in Noyo Harbor. Land uses approved by CDU_2017-0019 included: Coastal Dependent Industrial (producing Salmon-infused vodka, brine-aged whisky, and smoked fish), Coastal Related Industrial (warehousing fish emulsion and fertilizer), Food and Beverage Retail Sales, and Coastal Related Support Services (boat charter office and ticket window).

LOCATION: In Coastal Zone, in Noyo Harbor, 0.5± mile south of the intersection of Hwy. 1 (SH 1) and North Harbor

Dr. (CR 415A), located at 32425 N Harbor Dr., Fort Bragg (APN: 018-140-48).

ENVIRONMENTAL DETERMINATION: Categorically Exempt

SUPERVISORIAL DISTRICT: 4
STAFF PLANNER: JULIANA CHERRY
RESPONSE DUE DATE: October 19, 2020

PROJECT INFORMATION CAN BE FOUND AT:

https://www.mendocinocounty.org/government/planning-building-services/public-agency-referrals

Mendocino County Planning & Building Services is soliciting your input, which will be used in staff analysis and forwarded to the appropriate public hearing. You are invited to comment on any aspect of the proposed project(s). Please convey any requirements or conditions your agency requires for project compliance to the project coordinator at the above address, or submit your comments by email to pbs@mendocinocounty.org. Please note the case number and name of the project coordinator with all correspondence to this department.

We have reviewed the above	application and recommend the following (p	lease check one):					
☐ No comment at this time.							
Recommend conditional a	oproval (attached).						
	Applicant to submit additional information (attach items needed, or contact the applicant directly, copying Planning and Building Services in any correspondence you may have with the applicant)						
Recommend denial (Attacl	Recommend denial (Attach reasons for recommending denial).						
Recommend preparation of an Environmental Impact Report (attach reasons why an EIR should be required).							
Other comments (attach a	s necessary).						
REVIEWED BY:							
Signature	Department	Date					

CASE: Coastal Development Use Permit Renewal CDUR 2020-0007 (REF CDU 2017-0019)

OWNER: JOHN SCHNAUBELT

APPLICANT: JOHN SCHNAUBELT

AGENT: WYNN COASTAL PLANNING & BIOLOGY

REQUEST: Renewal of Coastal Development Use Permit CDU_2017-0019, which authorized repurposing of the Ice House

located in Noyo Harbor. Land uses approved by CDU_2017-0019 included: Coastal Dependent Industrial (producing Salmon-infused vodka, brine-aged whisky, and smoked fish), Coastal Related Industrial (warehousing fish emulsion and fertilizer), Food and Beverage Retail Sales, and Coastal Related Support Services (boat charter office and ticket

window).

LOCATION: In Coastal Zone, in Noyo Harbor, 0.5± mile south of the intersection of Hwy. 1 (SH 1) and North Harbor Dr. (CR

415A), located at 32425 N Harbor Dr., Fort Bragg (APN: 018-140-48).

APN/S: 018-140-48-00

PARCEL SIZE: 0.25 ACRES

GENERAL PLAN: Coastal Element Chapter 4.4, Fishing Village (FV:U) **ZONING:** Mendocino Coastal Zoning Code, Fishing Village (FV:40K)

EXISTING USES: Unoccupied building

DISTRICT: 4

□ Building Inspection (FB)

RELATED CASES: CDU 2017-0019 Schnaubelt

NORTH:	ADJACENT GENERAL PLAN Fishing Village	ADJACENT ZONING FV	ADJACENT LOT SIZES 036 acres	ADJACENT USES Coastal-Related Industrial
EAST:	Fishing Village	FV	0.5 acres	Coastal-Dependent Industrial
SOUTH:	Fishing Village	FV	0.12 acres	Coastal-Related Support Services
WEST:	Fishing Fillage	FV	0.2 acres	Coastal-Dependent Industrial

REFERRAL AGENCIES

LOCAL	□ Fort Bragg School District	FEDERAL
⊠Planning (Ukiah)		☑ Army

STATE

☑ Department of Transportation ☑ Fort Bragg Water District ☑ Environmental Health (FR) ☑ Fort Bragg Fire District

☑ Environmental Health (FB)☑ Fort Bragg Fire District☑ County Addresser

☑ Assessor☑ State Clearinghouse☑ Fort Bragg City Planning☑ CalFire Prevention

☑ Noyo Harbor District
 ☑ Coastal Commission

☐ Army Corps of Engineers

TRIBAL

□ Redwood Valley Rancheria

Sherwood Valley Rancheria

ADDITIONAL INFORMATION: No ground disturbance is proposed. No referral to Sonoma State or Archaeological Commission.

Please comment whether any of the adopted conditions require updating or amending (see attached Application pp 7-10):

- City of Fort Bragg (See conditions #17, #18, #19, and #21)
- Mendocino County Department of Transportation (See conditions #15 and #16)
- Mendocino County Division of Environmental Health (See conditions #12 and #21)
- Mendocino County Building Division (See condition #13)
- Mendocino County Planning Division (See conditions #12, #13, #14, #20, and #21)

Please send comments to cherryj@mendocinocounty org

STAFF PLANNER: J CHERRY (707-234-2888) **DATE:** 9/1/2020

ENVIRONMENTAL DATA

1. MAC:

NO

2. FIRE HAZARD SEVERITY ZONE:

YFS

3. FIRE RESPONSIBILITY AREA:

Fort Bragg Fire District

4. FARMLAND CLASSIFICATION:

NO

5. FLOOD ZONE CLASSIFICATION:

NO

6. COASTAL GROUNDWATER RESOURCE AREA:

7. SOIL CLASSIFICATION:

8. PYGMY VEGETATION OR PYGMY CAPABLE SOIL:

9. WILLIAMSON ACT CONTRACT:

NO

10. TIMBER PRODUCTION ZONE:

NO

11. WETLANDS CLASSIFICATION:

12. EARTHQUAKE FAULT ZONE:

NO

13. AIRPORT LAND USE PLANNING AREA:

14. SUPERFUND/BROWNFIELD/HAZMAT SITE:

NO

15. NATURAL DIVERSITY DATABASE:

YES

16. STATE FOREST/PARK/RECREATION AREA ADJACENT:

17. LANDSLIDE HAZARD:

18. WATER EFFICIENT LANDSCAPE REQUIRED:

19. WILD AND SCENIC RIVER:

20. SPECIFIC PLAN/SPECIAL PLAN AREA:

21. STATE CLEARINGHOUSE REQUIRED:

California Coastal Commission

22. OAK WOODLAND AREA:

No

23. HARBOR DISTRICT:

Noyo Harbor

FOR PROJECTS WITHIN THE COASTAL ZONE ONLY

24. LCP LAND USE CLASSIFICATION: 28. CDP EXCLUSION ZONE:

Fishing Village NO

25. LCP LAND CAPABILITIES & NATURAL HAZARDS: 29. HIGHLY SCENIC AREA:

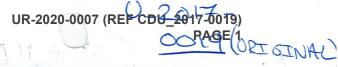
Flooding, Tusnami

26. LCP HABITATS & RESOURCES: 30. BIOLOGICAL RESOURCES & NATURAL AREAS:

Adjacent to Noyo River Adjacent to Noyo River

27. COASTAL COMMISSION APPEALABLE AREA: 31. BLUFFTOP GEOLOGY:

Within Noyo Harbor No





Planning and Building Services

Case No: UR - 2020 - 0007
CalFire No:
Date Filed: 7-17-2020
Fee: 5,4/2.53
Receipt No: PRJ 036028
Received By: Ouliana
Office use only

APPLICATION FORM

APPLICANT Name: John Schnaub	pelt	Phone: (707)489-4806 or ((707)489-4815
Mailing Address: 576 South Franklin Stree	ıt.		
City: Fort Bragg	State/Zip: CA. 95437	email: seapalliquidfish@ya	hoo.com
PROPERTY OWNER Name: Same as above		Phone:	
Mailing Address:			
City:	State/Zip:	email:	
AGENT Name: Wynn Coastal Plan	ning; Tara Jackson	Phone: (707)964-2537	
Mailing Address: 703 North Main Street			
City: CA. 95437	State/Zip: CA. 95437	_{email:} tara@wcplan.com	=
Parcel Size: 25+/- acre	(Sq. feet/Acres) Address of Prope	rty: 32425 North Harbor Drive, Fort Bragg	, CA 95437
Assessor Parcel Number(s): 0	18-140-48		
TYPE OF APPLICATION:			
Administrative Permit Agricultural Preserve Airport Land Use CDP- Admin CDP- Standard Certificate of Compliance Development Review Exception	☐ Flood Hazard ☐ General Plan Amendme ☐ Land Division-Minor ☐ Land Division- Major ☐ Land Division-Parcel ☐ Land Division-Resubdivi ☐ Modification of Conditior ☐ Reversion to Acreage	☐ Use Permit-Min ☐ Use Permit-Man ☐ Use Permit-Man ☐ Variance ☐ Other	or
I certify that the information sub	mitted with this application is true	e and accurate.	
	07/16/2020		07/16/2020
Signature of Applicant/Agent	Date	Signature of Owner	Date

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SITE AND PROJECT DESCRIPTION QUESTIONNAIRE

The purpose of this questionnaire is to relate information concerning your application to the Department of Planning and Building Services and other agencies who will be reviewing your project proposal. Please remember that the clearer picture that you give us of your project and the site, the easier it will be to promptly process your application. Please answer all questions. Those questions which do not pertain to your project please indicate "Not applicable" or "N/A".

THE PROJECT

1.	. Describe your project. Include secondary improvements such as wells, septic systems, grading, vegetation removal, roads, etc.						
	Improve (repair and maintenance) building in existing footprint to house four business:						
	1. Distillery dependent on aging near harbor to instill brine quality in whiskey (ala scotch whiskies)						
	2. Empty bottle storage for Sea Pal Fertilizer company						
	3.Fish smoking facility, u	using local fish t	rom harbor				
	4. Sport fishing/Whale w	atching charter	boat office				
	Extend term.	for U2	017-001	9.	7		
					, -		
		z					
2. St	ructures/Lot Coverage	Number of Existing	Proposed	Existing	Square Footage Proposed	je Total	
	ingle Family lobile Home luplex Multifamily ther:			-	·		
Area La	tructures Paved Indscaped Area oved Area						
GRAN	D TOTAL (Equal to gross area	of Parcel)					

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APPLICATION

3.	If the project is commercial, industrial or institutional, complete the following:	
	Estimated employees per shift: 3	
	Estimated shifts per day:	
	Type of loading facilities proposed:_N/A	
4.	Will the proposed project be phased? ■ Yes ☐ No If yes, explain your plans for phasing: 1. Distillery	
	2. Storage for Sea Pal fertilizer's empty bottles	
	3. Smoked fish facility	
	4. Sport fishing/Whale watching charter boat ticket office	
5.	Will vegetation be removed on areas other than the building sites and roads? ☐Yes ■No Explain:	
6.	Will the project involve the use or disposal of potentially hazardous materials such as toxic substances, flamma or explosives? Yes No If yes, explain:	ables,
7.	How much off-street parking will be provided?	
1.	Number Size	
	Number of covered spaces 4 9x20	
	Number of uncovered spaces Number of standard spaces 5 9x20	
	Number of handicapped spaces 1 8x20	
	Existing Number of Spaces	
	Proposed Additional Spaces Total	
8.	Is any road construction or grading planned? Yes No If yes, grading and drainage plans may be required. Also, describe the terrain to be traversed (e.g., steep, moderate slope, flat, etc.).	
	plans may be required. Also, describe the terrain to be traversed (e.g., steep, moderate slope, hat, etc.).	
9.	For grading or road construction, complete the following:	
	A. Amount of cut_N/A cubic yards	
	B. Amount of fill N/A cubic yards	
	C. Maximum height of fill slope N/A feet	
I	D. Maximum height of cut slope N/A feet	
	E. Amount of import or export_N/A cubic yards F. Location of borrow or disposal site_N/A Cubic yards	
	1. Education of porton of disposal site	

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APPLICATION

10.	Does the project involve sand removal, mining or gravel extraction? Yes If yes, detailed extraction, reclamation and monitoring plans may be required?
11.	Will the proposed development convert land currently or previously used for agriculture to another use? ☐Yes ■No
	If yes, how many acres will be converted?acres. An agricultural economic feasibility study may be required.
12.	Will the development provide public or private recreational opportunities? Yes No If yes, explain below: Sport fishing/ Whale watching charter boat ticket office
13.	Is the proposed development visible from State Highway 1 or other scenic route? Yes 14. Is the proposed development visible from a park, beach or other recreational area? Yes No
15.	Does the development involve diking, filling, dredging or placing structures in open coastal water, wetlands, estuaries or lakes?
	Diking : ☐Yes ☐No Placement of structures in: Filling: ☐Yes ☐No ☐open coastal waters Dredging: ☐Yes ☐No ☐wetlands ☐estuaries ☐lakes
	If so, amount of material to be dredged or filled?cubic yards.
	Location of dredged material disposal site? N/A Has a U.S. Army Corps of Engineers permit been applied for? Yes No
16.	Will there be any exterior lighting? Yes No If yes, describe below and identify the location of all exterior lighting on the plot plan and building plans. Shielded down cast lighting
17.	Utilities will be supplied to the site as follows: A. Electricity: Utility Company (service exists to the parcel) Utility Company (requires extension of service to site:feetmiles) On Site Generation - Specify:
	B. Gas: Utility Company/Tank On Site Generation - Specify: None C. Telephone:
18.	What will be the method of sewage disposal? Community sewage system - Specify supplier Septic Tank Other - Specify:
19.	What will be the domestic water source: Community water system - Specify supplier Well Spring Other - Specify:

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APPLICATION

20.	Are there any associated projects and/or adjacent prope		
	☐Yes ■No If yes, explain (e.g., A	Assessor's Parcel Number, add	ress, etc.):
11			
21.	List and describe any other related permits and other pu by other County departments, city, regional, state and fe Business License, ABC License		roject, including those required
22.	Describe the location of the site in terms of readily identi intersections, etc.):		
	Large grey building as you round the second sharp corner at the	bottom of the hill on North Harbor Dr	rive.
22	A to the are existing atmost are as the property?	□A1_	
23.	Are there existing structures on the property? If yes, describe below, and identify the use of each structure subdivision.		e map if the proposal is for a
	There is an existing vacant building on the parcel that was last in	habited in the late 1970's	
24.	Will any existing structures be demolished or removed? If yes, describe the type of development to be demolished		ocation site, if applicable.
			
25.	Project Height. Maximum height of existing structures 24		
26.	Gross floor area of existing structures 5843 square feet (in area of proposed structures 5843 square feet (including of	ncluding covered parking and accovered parking and accessory to	ccessory buildings). Gross floor buildings).
27.	Lot area (within property lines):	■acres.	
28.	Briefly describe the project site as it exists before the pro- uses, slopes, soil stability, plants and animals, and any of the site that you feel would be helpful. The present building known to locals as the "Ice House" in the fishing	cultural, historical or scenic aspe	cts. Attach any photographs of
	Prior to that it had a lengthy history providing ice for the once rob	ust fishing industry in Fort Bragg.	
29.	Briefly describe the surrounding properties, including info aspects. Indicate the type of land use (use chart below) that you feel would be helpful.	and its general intensity. Attach	h any photographs of the vicinity
	This parcel is situated in the commercial fishing village of Noyo Ha	rbor. The property was for commercia	al purposes as it is be to be again.
	All businesses are fishing related.		
30.		-	W1
	North Vacant	East South	West
	Residential Agricultural Commercial Industrial		
	Institutional Timberland		
	Other: Commercial Fishing Village X	X X	X

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UR-2020-0007 (REF CDU 2017-0019)

FAX: 707-463-5709 FB PHONE: 707-964-5379

FB FAX: 707-961-2427 pbs@mendocinocounty.org

www.mendocinocounty.org/pbs

860 North Bush Street · Ukiah · California · 95482 120 West Fir Street · Ukiah · California · 95437

October 2, 2018

COASTAL DEVELOPMENT STANDARD USE PERMIT

CASE#: U_2017-0019

OWNER: JOHN SCHNAUBELT

AGENT: WYNN COASTAL PLANNING, BLAIR FOSTER

REQUEST: A Coastal Development Use Permit request to repurpose the Ice House located in Noyo Harbor. Proposed land uses are Coastal Dependent Industrial (producing Salmon-infused vodka, brineaged whisky, and smoked fish); Coastal Related Industrial (warehousing fish emulsion and fertilizer); Food and Beverage Retail Sales; and Coastal Related Support Services (boat charter office and ticket window). A deck and painting off-street parking spaces are proposed.

LOCATION: In Coastal Zone, in Noyo Harbor, 0.5± mile south of the intersection of Hwy. 1 (SH 1) and

North Harbor Dr. (CR 415A), located at 32425 N Harbor Dr., Fort Bragg (APN: 018-140-48).

ENVIRONMENTAL DETERMINATION: Categorically Exempt

STAFF PLANNER: Juliana Cherry **ACTION:** Approved with Conditions. EFFECTIVE DATE: September 14, 2018 **EXPIRATION DATE:** July 19, 2020

CONDITIONS OF APPROVAL: See final findings and conditions for conditions.

Department of Planning and Building Services Statement: I hereby certify that all conditions which must be met prior to use or occupancy of this permit have been met and that this permit is deemed by the Department of Planning and Building Services to be a valid permit subject to all conditions of approval.

COASTAL PERMIT ADMINISTRATOR

10-3-2018

Owner's Statement: I am the owner of the property subject to this permit (or his/her authorized agent) and I hereby certify that I have reviewed the conditions of approval and will establish and continue the use in compliance with the specified conditions and applicable sections of the Mendocino County Code. I further grant permission for County staff to enter upon the premises for which the permit is issued to verify compliance with the required conditions.

11-1-2018

Resolution Number PC 2018-0027

County of Mendocino Ukiah, California July 19 2018

U 2017-0019 - JOHN SCHNAUBELT

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF MENDOCINO, STATE OF CALIFORNIA, ADOPTING A CATEGORICAL EXEMPTION AND GRANTING A COASTAL DEVELOPMENT USE PERMIT FOR A DISTILLERY, TASTING ROOM, OFFICE, BOAT CHARTER TICKET SALES, AND FISH FERTILIZER STORAGE.

WHEREAS, the applicant, JOHN J SCHNAUBELT, filed an application for a COASTAL DEVELOPMENT USE PERMIT with the Mendocino County Department of Planning and Building Services to repurpose the Ice House and proposing Coastal-Dependent Industrial land use (producing Salmon-infused vodka, brine-aged whisky, and smoked fish); Coastal-Related Industrial land use (warehousing fish emulsion and fertilizer); Food and Beverage Retail Sales land use; and Coastal-Related Support Services land use (boat charter office and ticket window), and proposing construction of a deck on land located In Coastal Zone, in Noyo Harbor, 0.5± mile south of the intersection of Hwy. 1 (SH 1) and North Harbor Dr. (CR 415A), located at 32425 N Harbor Dr., Fort Bragg (APN: 018-140-48); General Plan FV:U; Zoning FV:40K/FP:; Supervisorial District 4; (the "Project"); and

WHEREAS, a CATEGORICAL EXEMPTION was prepared for the Project and noticed and made available for agency and public review on June 7, 2018 in accordance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on, July 19, 2018, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the CATEGORICAL EXEMPTION and the Project. All interested persons were given an opportunity to hear and be heard regarding the CATEGORICAL EXEMPTION and the Project; and

WHEREAS, the Planning Commission has had an opportunity to review this Resolution and finds that it accurately sets forth the intentions of the Planning Commission regarding the CATEGORICAL EXEMPTION and the Project.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission makes the following findings:

- 1. Pursuant with MCCZC Section 20.532.095(A)(1), the proposed development is in conformity with the certified Mendocino Local Coastal Plan, including the General Plan's Coastal Element Chapter 2.2 and the intent of the Fishing Village Land Use Classification; and the General Plan's Coastal Element Chapter 4.4 and its Policy 4.4.1, in that the proposed land uses are directly related to the coastal-dependent fishing industries in Noyo Harbor; and
- 2. Pursuant with MCCZC Section 20.532.095(A)(2), the proposed development and land uses, as conditioned, would be provided with adequate utilities, access roads, drainage and other necessary facilities as they are located where public services are available; and
- 3. Pursuant with MCCZC Section 20.532.095(A)(3), the proposed development and land uses are consistent with the purpose and intent of the Fishing Village District, as well as all other provisions of Division II, and preserves the integrity of the zoning district; and

- 4. Pursuant with MCCZC Section 20.532.095(A)(4), the proposed development and land uses, if constructed and operated in compliance with the conditions of approval, would not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act and would be categorically exempt; and
- 5. Pursuant with MCCZC Section 20.532.095(A)(5), the proposed development and land uses would not have any adverse impacts on any known archaeological or paleontological resource; and
- 6. Pursuant with MCCZC Section 20.532.095(A)(6), Other services, including but not limited to, solid waste, public roadway capacity and proof of an adequate water supply pursuant to Chapter 20.516 have been considered and are adequate to serve the proposed development and land uses; and
- 7. Pursuant with MCCZC Section 20.532.095(B)(1), the proposed development is located adjacent to the shoreline of Noyo Harbor and Noyo River and the proposed development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act and the Coastal Element of the General Plan; and
- 8. As conditioned, the proposed development and land uses ensure that they would not constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the Noyo Harbor, or be detrimental or injurious to property and improvements in the Noyo Harbor or to the general welfare of the county.

BE IT FURTHER RESOLVED that the Planning Commission hereby adopts the Categorical Exemption. The Planning Commission certifies that the Categorical Exemption has been completed, reviewed, and considered, together with the comments received during the public review process, in compliance with CEQA and State and County CEQA Guidelines, and finds that the Categorical Exemption reflects the independent judgment and analysis of the Planning Commission.

BE IT FURTHER RESOLVED that the Planning Commission hereby grants the requested Coastal Development Use Permit, subject to the Conditions of Approval in Exhibit "A", attached hereto.

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary as the custodian of the document and other material which constitutes the record of proceedings upon which the Planning Commission decision herein is based. These documents may be found at the office of the County of Mendocino Planning and Building Services, 860 North Bush Street, Ukiah, CA 95482.

BE IT FURTHER RESOLVED that the Planning Commission action shall be final on the 11th day after the date of the Resolution unless an appeal is taken.

I hereby certify that according to the Provisions of Government Code Section 25103 delivery of this document has been made.

ATTEST:

VICTORIA DAVIS

Commission Services Supervisor

BY:

IGNACIO GONZALEZ

Interim Director

MADELIN HOLTKAMP, Chair

Mendocino County Planning Commission

EXHIBIT A

CONDITIONS OF APPROVAL COASTAL DEVELOPMENT USE PERMIT CDU_2017-0019 JULY 19, 2018

U_2017-0019 - JOHN SCHNAUBELT

A Coastal Development Use Permit allowing the Ice House located in Noyo Harbor to be repurposed with five land uses: Coastal-Dependent Industrial (producing Salmon-infused vodka, brine-aged whisky, and smoked fish); Coastal-Related Industrial (warehousing fish emulsion and fertilizer); Food and Beverage Retail Sales; and Coastal-Related Support Services (boat charter office and ticket window) and allowing the construction of a deck.

CONDITIONS OF APPROVAL: Pursuant to the provisions of Chapter 20.532 and Chapter 20.536 of the Mendocino County Coastal Zoning Code (MCCZC) and pursuant to the provisions of Chapter 20.196 of the Mendocino County Zoning Code - Division I (MCC), the Planning Commission approves the proposed project and adopts the following findings and conditions.

FINDINGS:

- 1. Pursuant with MCCZC Section 20.532.095(A)(1), the proposed development is in conformity with the certified Mendocino Local Coastal Plan, including Coastal Element Chapter 2.2 and the intent of the Fishing Village Land Use Classification; and Coastal Element Chapter 4.4 and its Policy 4.4.1, in that the proposed land uses are directly related to the coastal-dependent fishing industries in Noyo Harbor; and
- 2. Pursuant with MCCZC Section 20.532.095(A)(2), the proposed development and land uses, as conditioned, would be provided with adequate utilities, access roads, drainage and other necessary facilities as they are located where public services are available; and
- 3. Pursuant with MCCZC Section 20.532.095(A)(3), the proposed development and land uses are consistent with the purpose and intent of the Fishing Village District, as well as all other provisions of Division II, and preserves the integrity of the zoning district; and
- 4. Pursuant with MCCZC Section 20.532.095(A)(4), the proposed development and land uses, if constructed and operated in compliance with the Conditions of Approval, would not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act and would be categorically exempt; and
- 5. Pursuant with MCCZC Section 20.532.095(A)(5), the proposed development and land uses would not have any adverse impacts on any known archaeological or paleontological resource; and
- 6. Pursuant with MCCZC Section 20.532.095(A)(6), Other services, including but not limited to, solid waste, public roadway capacity and proof of an adequate water supply pursuant to Chapter 20.516 have been considered and are adequate to serve the proposed development and land uses; and
- 7. Pursuant with MCCZC Section 20.532.095(B)(1), the proposed development is located adjacent to the shoreline of Noyo Harbor and Noyo River and the proposed development is in conformity with the public access and public recreation policies of Chapter 3 of the California Coastal Act and the Coastal Element of the General Plan; and

8. As conditioned, the proposed development and land uses ensure that they would not constitute a nuisance or be detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in or passing through the Noyo Harbor, or be detrimental or injurious to property and improvements in the Noyo Harbor or to the general welfare of the county.

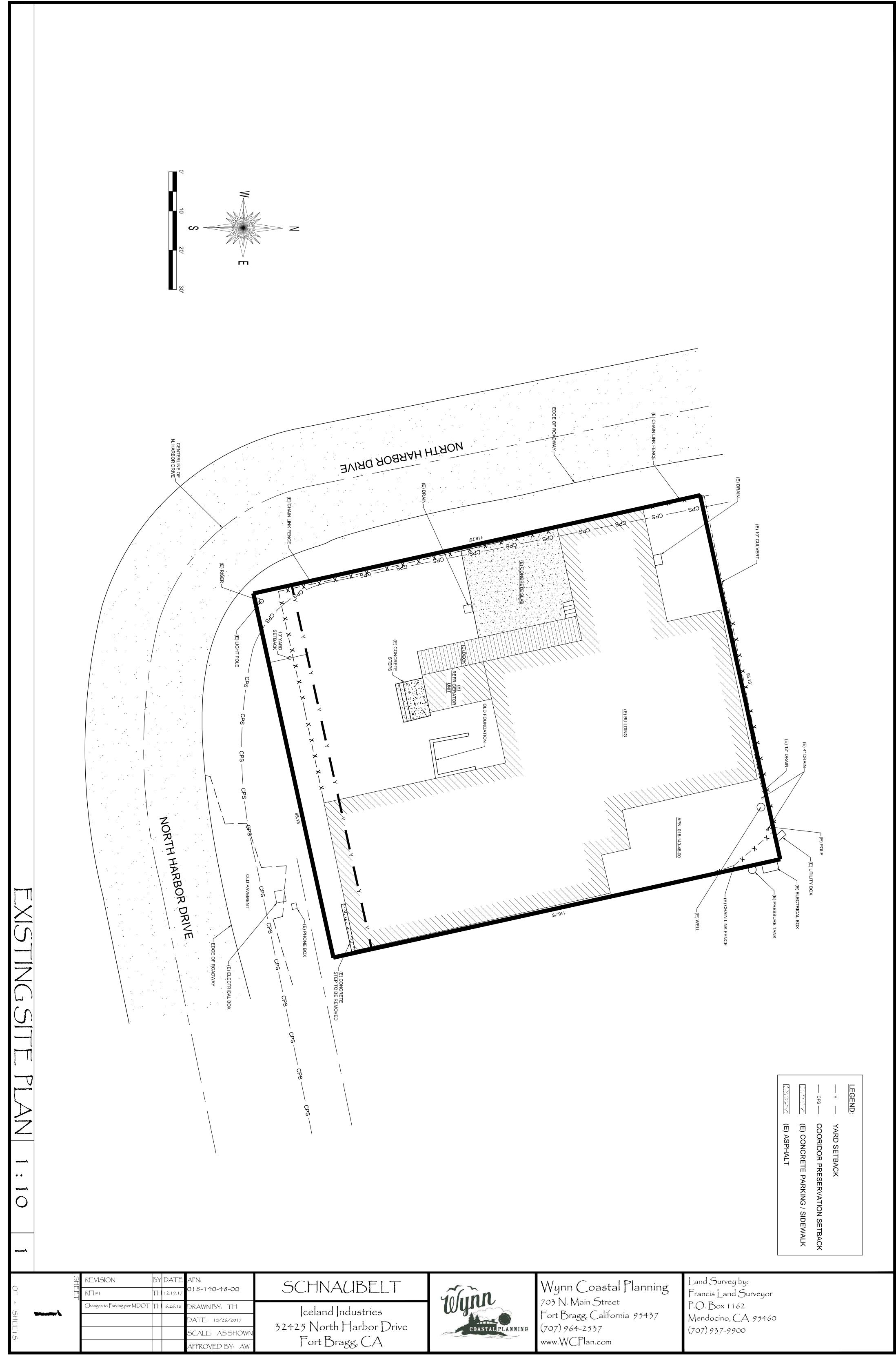
STANDARD CONDITIONS:

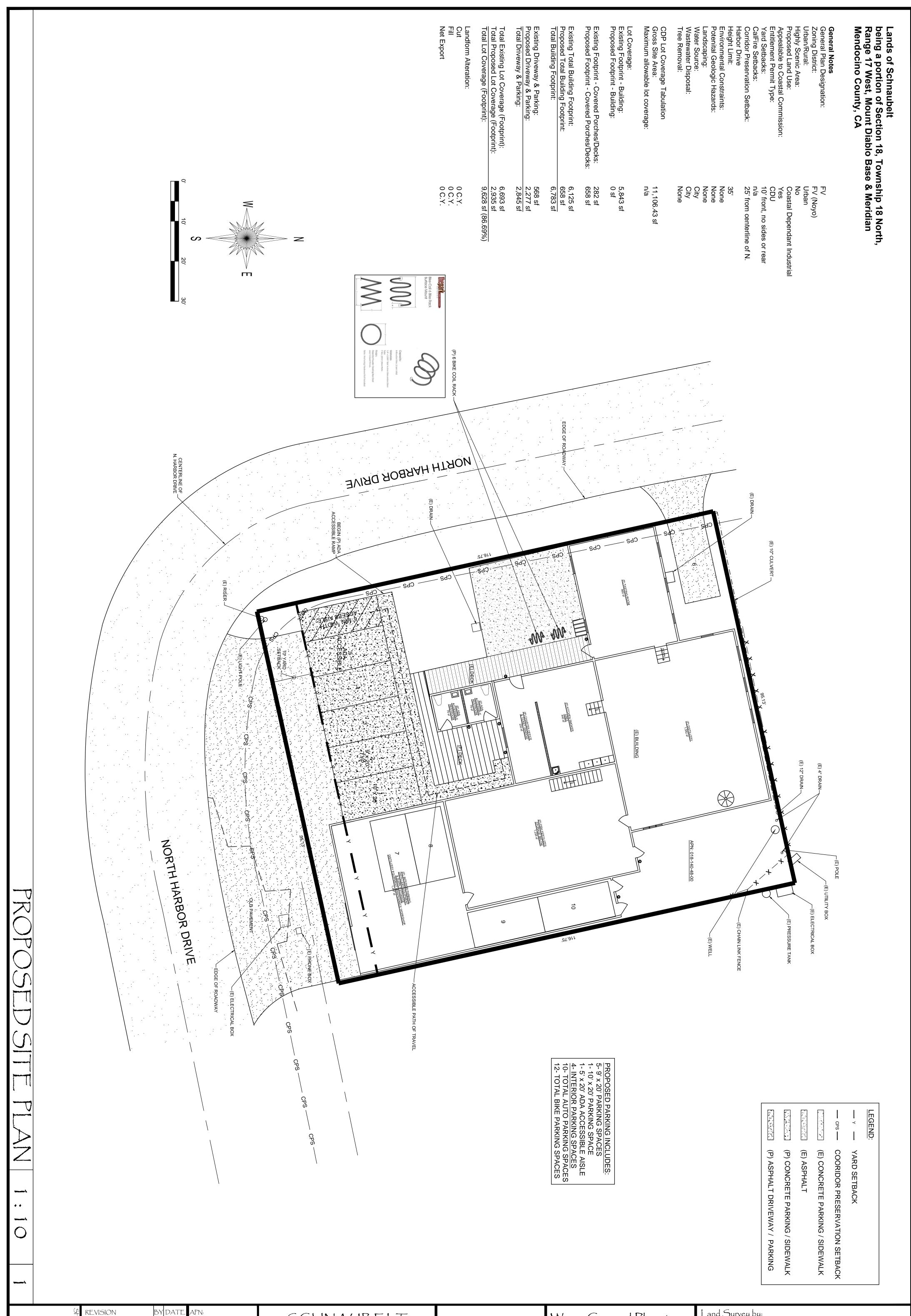
- 1. This action shall become final on the 11th day following the decision unless an appeal is filed pursuant to Section 20.536.010 of the Mendocino County Coastal Zoning Code. The permit shall become effective after the ten working day appeal period to the Coastal Commission has expired and no appeal has been filed with the Coastal Commission. The permit shall expire and become null and void at the expiration of two years after the effective date except where construction and use of the property in reliance on such permit has been initiated prior to its expiration. To remain valid, progress towards completion of the project must be continuous. The applicant has sole responsibility for renewing this application before the expiration date. The County will not provide a notice prior to the expiration date (June 21, 2020).
- 2. The use and occupancy of the premises shall be established and maintained in conformance with the provisions of Division II of Title 20 of the Mendocino County Code.
- 3. The application, along with supplemental exhibits and related material, shall be considered elements of this permit, and that compliance therewith is mandatory, unless an amendment has been approved by the Planning Commission.
- 4. This permit shall be subject to the securing of all necessary permits for the proposed development from County, State and Federal agencies having jurisdiction.
- 5. The applicant shall secure all required building permits for the proposed project as required by the Building Inspection Division of the Department of Planning and Building Services.
- 6. This permit shall be subject to revocation or modification upon a finding of any one or more of the following:
 - a. The permit was obtained or extended by fraud.
 - b. One or more of the conditions upon which the permit was granted have been violated.
 - c. The use for which the permit was granted is conducted so as to be detrimental to the public health, welfare or safety, or to be a nuisance.
 - d. A final judgment of a court of competent jurisdiction has declared one or more conditions to be void or ineffective, or has enjoined or otherwise prohibited the enforcement or operation of one or more such conditions.
- 7. This permit is issued without a legal determination having been made upon the number, size or shape of parcels encompassed within the permit described boundaries. Should, at any time, a legal determination be made that the number, size or shape of parcels within the permit described boundaries are different than that which is legally required by this permit, this permit shall become null and void.
- 8. If any archaeological sites or artifacts are discovered during site excavation or construction activities, the applicant shall cease and desist from all further excavation and disturbances within one hundred (100) feet of the discovery, and make notification of the discovery to the Director of the Department of Planning and Building Services. The Director will coordinate further actions for the protection of the archaeological resources in accordance with Section 22.12.090 of the Mendocino County Code.
- 9. Term: Coastal Development Use Permit U_2017-0019 shall be granted for a term of ten years. On or before June 21, 2028, the person holding U_2017-0019 shall apply for a renewal of said permit if the

- use is to be continued beyond June 21, 2028. Applications for renewal shall be submitted in compliance with MCCZC Section 20.532.025.
- 10. Amendment: Amendments to Coastal Development Use Permit U_2017-0019 shall be granted pursuant with MCCZC Section 20.536.020 Application for Permit Amendment.
- 11. Revoke or modify: Coastal Development Use Permit U_2017-0019 may be revoked or modified for cause as provided by the provisions of MCCZC Section 20.536.030. The modification of a permit may include the modification of the terms of U_2017-0019, alteration or imposition of new conditions pursuant with MCCZC Sections 20.532.030 and 20.536.010.
- 12. Food and Beverage Retail Sales: Food preparation shall be limited to processing coastal-dependent distillates and smoked fish; food tasting may include serving complementary food items; and retail sale of coastal-dependent food and beverage is intended for off-site consumption.
 - a. Seating shall be limited to the Tasting Room area and seating capacity determined by the Fire Marshal and Chief Building Official.
 - b. Tasting Room hours shall be limited to 9:00 AM 8:00 PM, which is similar to other local Food and Beverage Retail Sales land uses.
- 13. Prior to final inspection by the Building Division, the property owner shall furnish a letter to the Department of Planning and Building Services from the Division of Environmental Health *and* the City of Fort Bragg Public Works that all the requirements and conditions have been met for the issuance of the permit to operate the tasting room.
- 14. Ten off-street parking spaces shall be provided on-site with minimum 9 feet by 20 feet dimensions.
- 15. Standard commercial road approaches shall be constructed at each proposed connection to North Harbor Drive (CR 415A) in accordance with Mendocino County Road and Development Standards No. A51B, or as modified by applicant and approved by Department of Transportation staff during field review, to be paved with asphalt concrete or comparable surfacing to the adjacent road. Concrete driveways shall not be permitted.
- 16. Any proposed work within County rights-of-way requires obtaining an encroachment permit from the Mendocino County Department of Transportation.
- 17. Wastewater Discharge Agreement Required: Title 14.16 of the City of Fort Bragg Municipal Code statesno pollutants shall be introduced in the sanitary sewer works and establishes maximum allowable concentrations for potentially toxic materials. This code section details allowable thresholds for toxic materials, prohibits pollutants which may affect pH and establishes limitations to oxygen-demanding pollutants (BOD, etc.). The purpose of the discharge agreement will be to establish sampling requirements and monitor effluent wastewater to ensure it meets the district treatment standards. Applicant shall show processes achieve performance standards. Monitoring may be required for any discharge location connected to the City's wastewater treatment including:
 - a. effluent from the distilling process;
 - b. process area wash down;
 - c. mop sinks; and
 - d. any sloped floor areas for catch basin or floor drains (this includes the storage/warehousing where fish emulsion is stored if floor drains are connected to waste water system).
- 18. Backflow Required: A backflow device will be required on all water connections. A double check Detector Assembly will be required for any dedicated fire suppression line(s). A Reduced Pressure Zone backflow device will be required for primary service line for industrial process water. The location of the backflow device(s) shall be determined during the building permit application process. A backflow prevention packet will be provided to the applicant for installing appropriate devices.

- 19. City of Fort Bragg Connection, Water Capacity, and Sewer Capacity Fees: An estimate of the fees due will be prepared for the client, upon receipt of the building permit application. A copy of these fees will be made available to the County, as fees shall be paid prior to final building permit.
 - a. Connection: If a new lateral or upsized lateral is required to supply water services to the facility, a cost will be incurred based on the current connection fees described in the City's fee schedule.
 - b. Water Capacity Fees: A water capacity fee will be applied to each of the proposed uses by area.
 - c. Sewer Capacity Fees: A sewer capacity fee will be applied to each of the proposed uses by area.
- 20. Pursuant with MCCZC Section 20.440.005(E), storage of goods and materials is restricted to the interior of the building. It is prohibited to store goods or materials outside of the building.
- 21. The property owner shall maintain a solid waste storage and distribution plan to the satisfaction of Environmental Health and the City of Fort Bragg.

UR-2020-0007 (REF CDU_2017-0019)
APPLICATION





エン	REVISION	BY	DATE		
7	RFI#1	TH	12.19.17	018-140-48-00	
	Changes to Parking per MDOT	TH	6.26.18	DRAWNBY: TH	
				DATE: 10/26/2017	
				SCALE: ASSHOWN	
				APPROVED BY: AW	

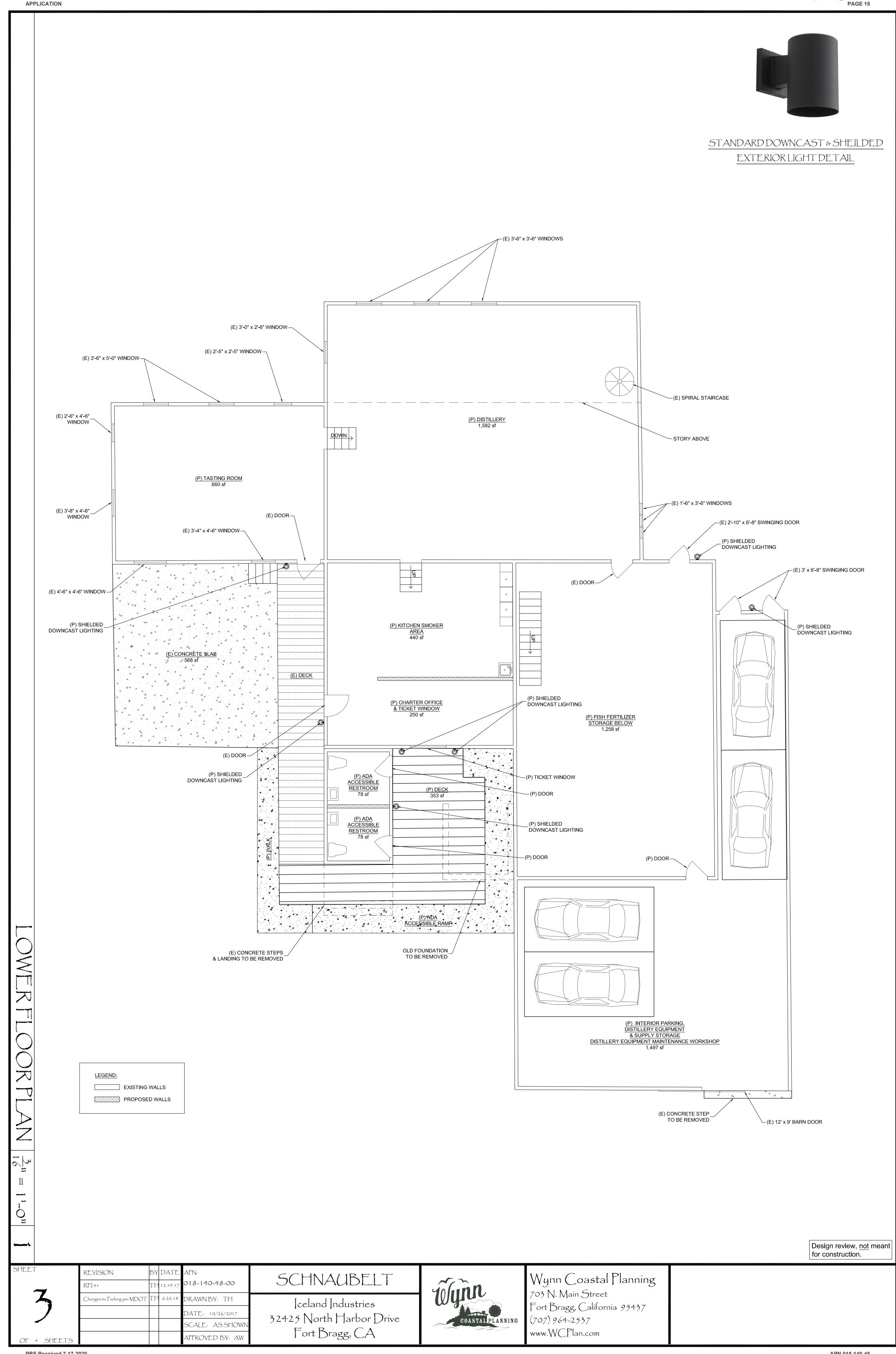
SCHNAUBELT |celand |ndustries 32425 North Harbor Drive Fort Bragg, CA

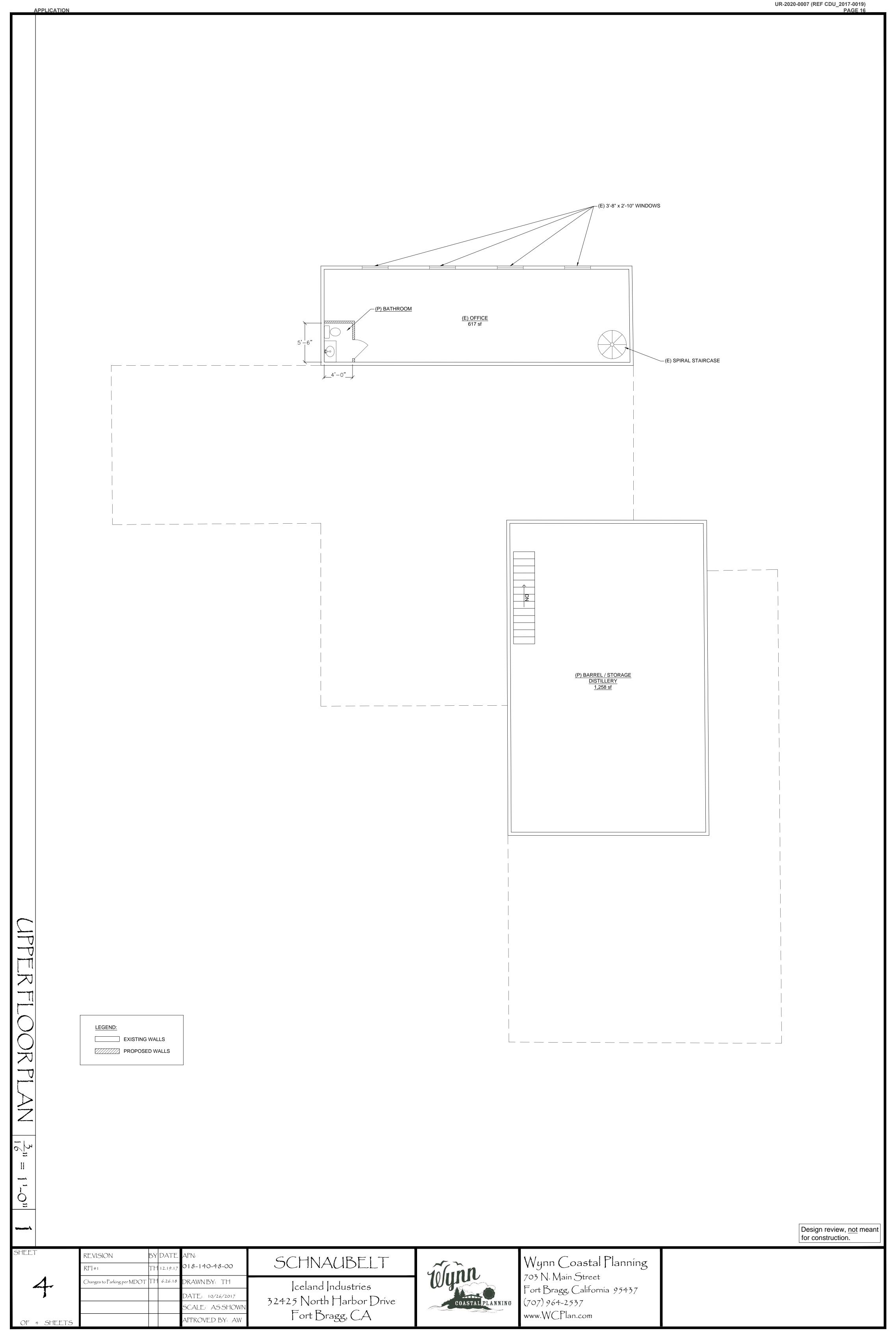


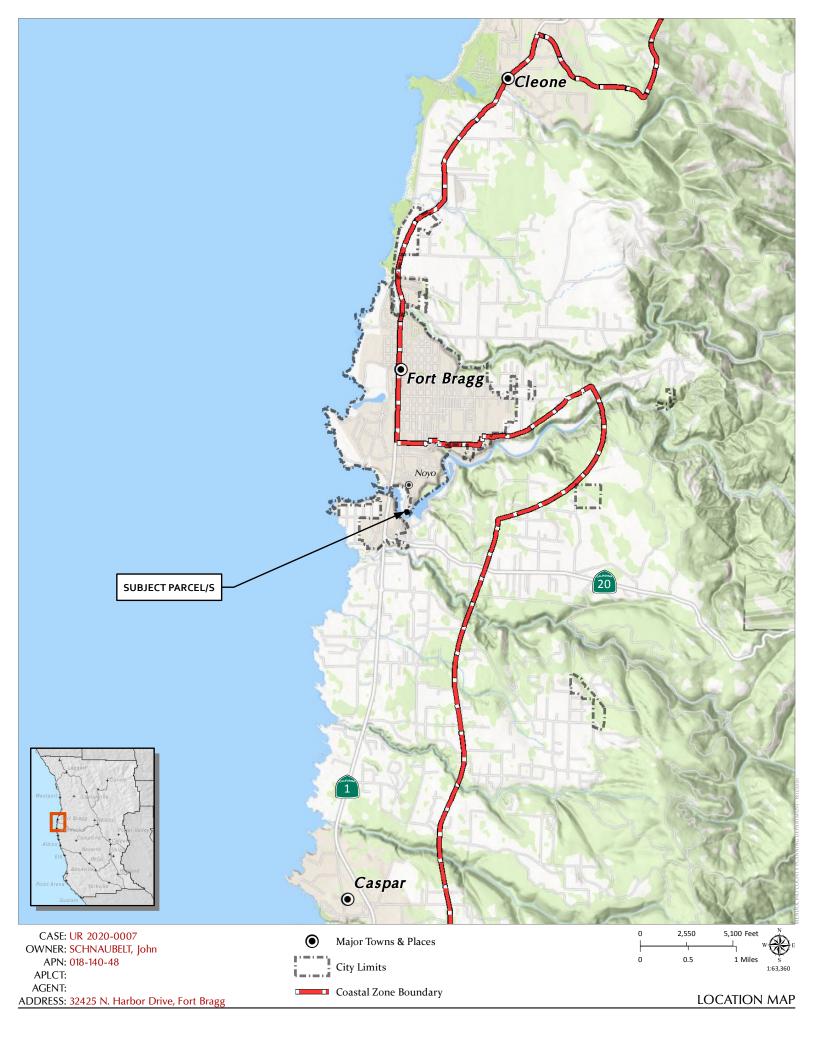
Wynn Coastal Planning 703 N. Main Street Fort Bragg, California 95437 (707) 964-2537 www.WCPlan.com

Land Survey by: Francis Land Surveyor

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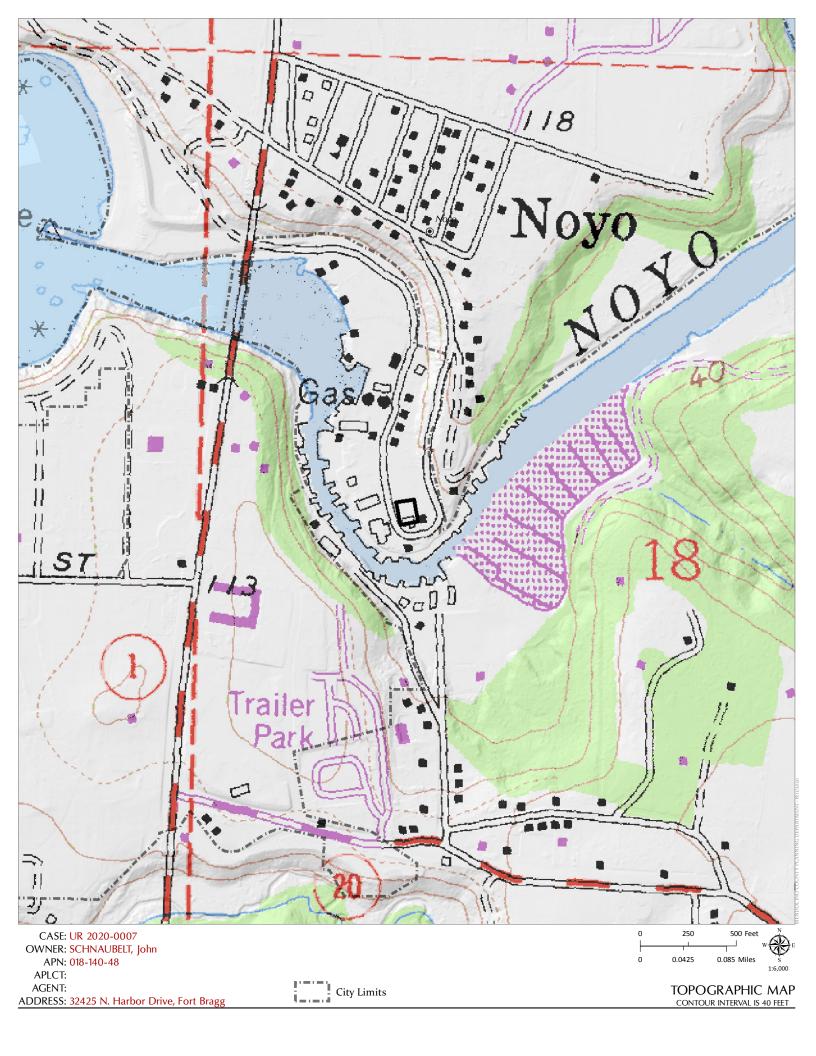


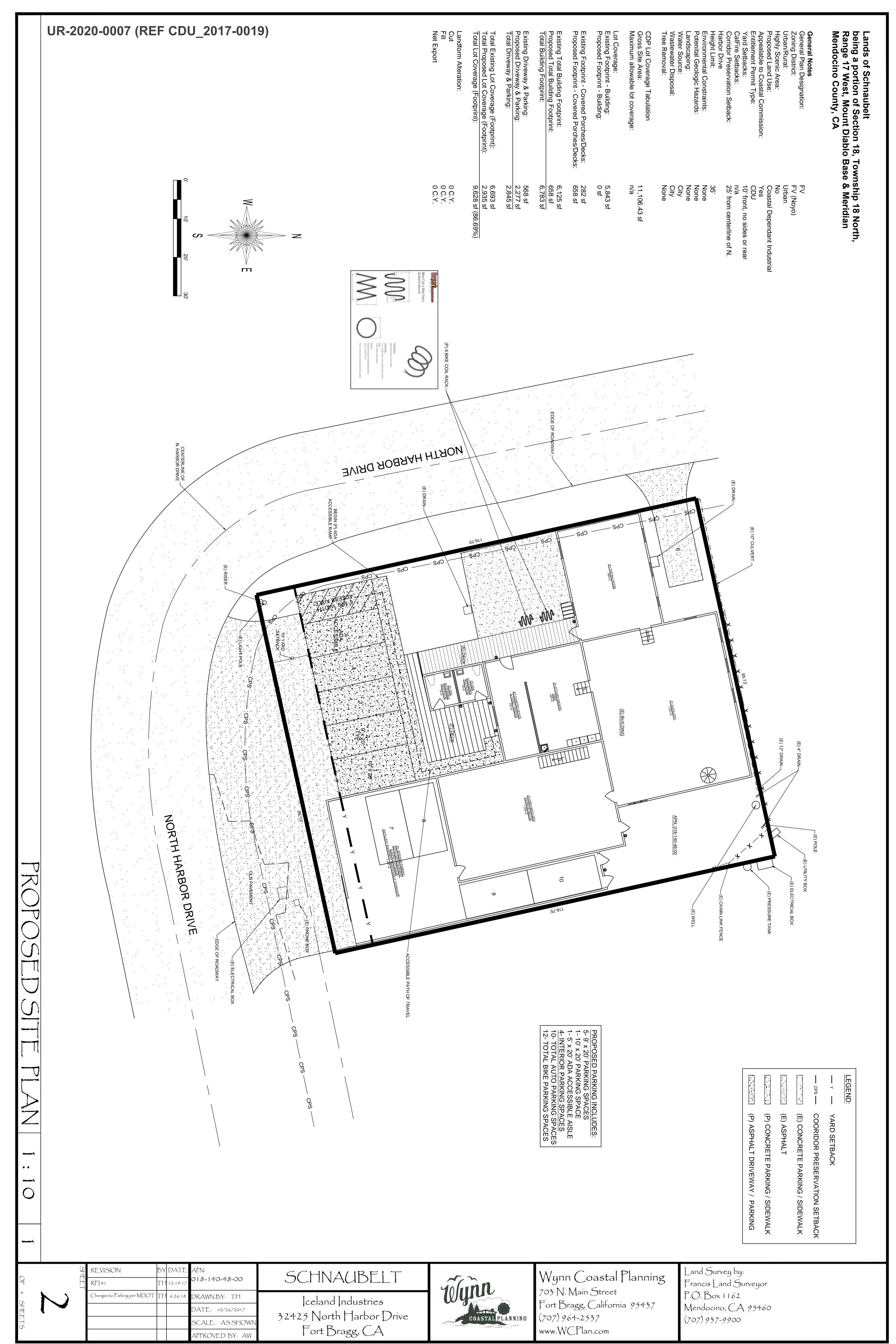


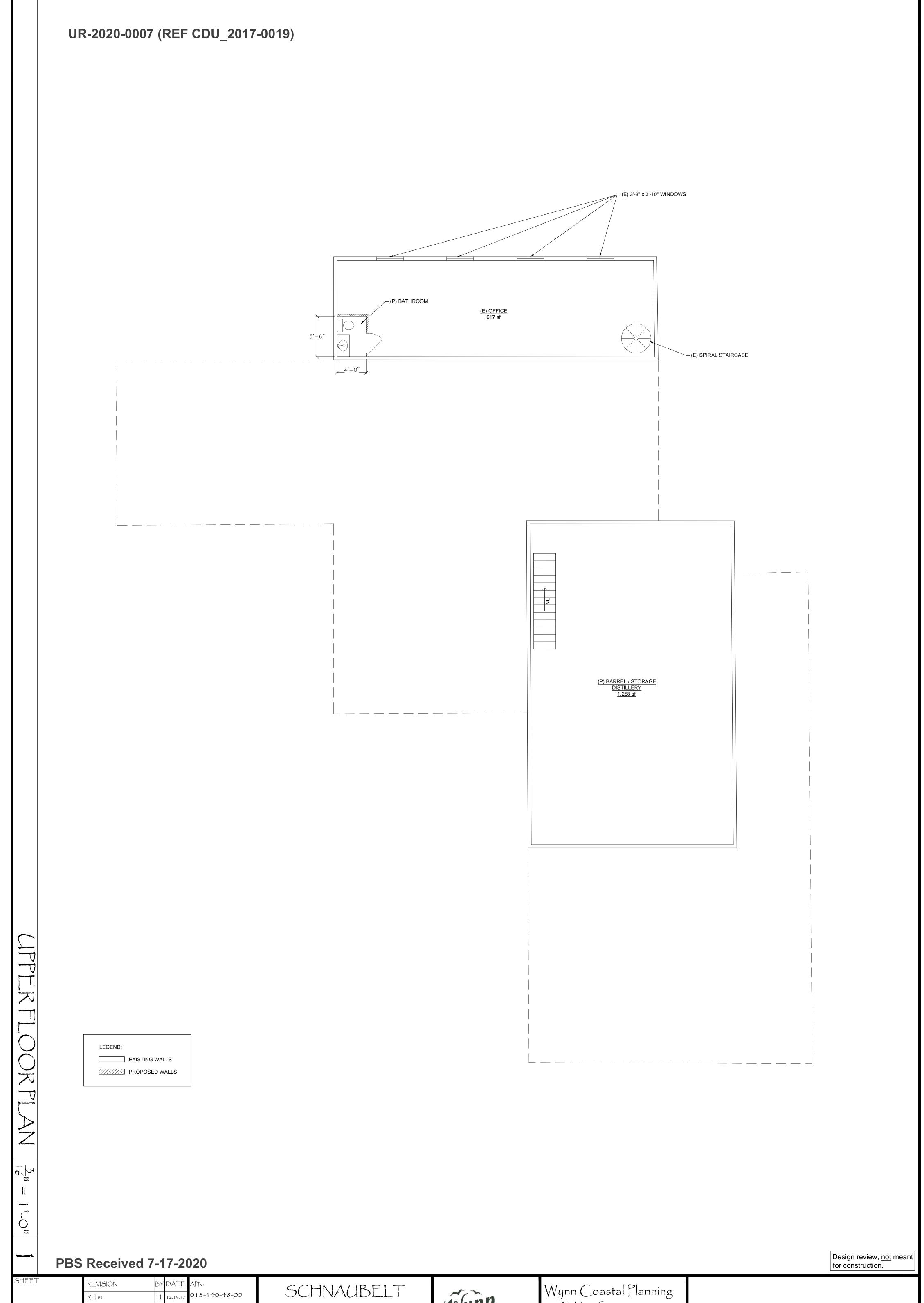
OWNER: SCHNAUBELT, John
APN: 018-140-48
APLCT:
AGENT:
ADDRESS: 32425 N. Harbor Drive, Fort Bragg

= Public Roads

Driveways/Unnamed Roads







4

OF 4 SHEETS

Changes to Parking per MDOT TH 6.26.18 DRAWN BY: TH

DATE: 10/26/2017

SCALE: AS SHOWN

APPROVED BY: AW

Iceland Industries 32425 North Harbor Drive Fort Bragg, CA TOURNE

Wynn Coastal Planning 703 N. Main Street Fort Bragg, California 95437 (707) 964-2537 www.WCPlan.com

